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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on
Economic, Social and Cultural Rights

FINLAND

1. The Committee considered the third periodic report of Finland on the rights covered by articles 1 to 15 of the Covenant (E/1994/104/Add.7) at its 37th, 38th and 40th meetings, held on 25 and 26 November 1996, and adopted, at its 51st meeting held on 4 December 1996, the following concluding observations.

A. Introduction

2. The Committee expresses its appreciation to the Government of Finland for the submission of its report, which follows the Committee's guidelines regarding the form and contents of States parties' reports. The Committee welcomes the submission by Finland of comprehensive written answers to its list of issues and expresses its satisfaction at the frank and constructive dialogue established with the State party, through a delegation composed of experts. The Committee also notes with satisfaction the information submitted by the Government of Finland in a core document (HRI/CORE/1/Add.59/Rev.1), as well as the supplementary information on the implementation of articles 13 to 15 of the Covenant submitted in response to the Committee's request after the consideration of the second periodic report of Finland in December 1991 (E/1989/5/Add.10).

B. Positive aspects

3. The Committee notes the generally high level of achievement by Finland of its obligations in respect of the protection of the rights set forth in the Covenant. In this regard, the Committee expresses its appreciation of the recent amendments which have been incorporated in the Constitution concerning the protection of certain economic, social and cultural rights of all persons under the State party's jurisdiction. The Committee also notes with satisfaction the existence and the activities of the Advisory Board on Human Rights Affairs, composed of representatives of various human rights organizations and of several ministries, and of the Parliamentary Ombudsman, who has competence in the field of human rights.

4. The Committee welcomes the measures taken to promote equality between men and women, such as the establishment of the Council of Equality, the Equality Ombudsman and the recent adoption of legislation requiring at least 40 per cent representation of both sexes in government appointed bodies at the national and local levels.

5. The Committee also welcomes the Government's policies and programmes aimed at creating new jobs and at helping the unemployed to join or return to the labour force, through vocational training programmes, particularly those aimed at young people.

6. The Committee notes with satisfaction the measures taken to protect and shelter the victims of domestic violence, in particular the activities deployed in this respect by the government-subsidized Union of Shelter Homes. The Committee also welcomes the recent criminalization of marital rape as a means to combat the phenomenon of violence against women.

7. The Committee notes with satisfaction the measures aimed at promoting the teaching of the Roma and Sami languages in schools and welcomes the possibility provided to the elected representatives of the Sami people to address the Parliament on issues affecting their interests.

8. The Committee notes that, despite the difficulties due to the economic recession, Finland regularly contributes, although at a reduced level, to programmes of international cooperation, thus potentially promoting the realization of economic, social and cultural rights in other countries.

C. Factors and difficulties impeding the implementation of the Covenant

9. The Committee notes that the economic recession facing Finland and the policies adopted to meet the convergence criteria for participating in the European Economic and Monetary Union have had significant consequences for the enjoyment of economic, social and cultural rights by the Finnish population as a whole, and by vulnerable social groups in particular. In this regard, the Committee notes that the recent budgetary cuts in social expenditure, as well as economic restructuring and the decentralization of social service arrangements are factors which may affect the full implementation of the provisions of the Covenant. However, the Committee notes the Government's view that European Union membership has been a useful instrument towards fulfilling its economic policy goals, including those aimed at fighting unemployment.

D. Principal subjects of concern

10. The Committee notes that, although the provisions of the Covenant may be directly invoked before the courts or referred to by the courts, this has not yet been the case. In this respect, the Committee expresses concern that lawyers and judges may not be sufficiently aware of the rights enshrined in the Covenant.

11. The Committee is concerned that, although equality between men and women is established in the law, it is not fully achieved in practice, in particular in the field of equal remuneration, and that, in general, women continue to encounter more obstacles than men in advancing to higher professional positions.

12. While it notes with satisfaction the recent decrease in the percentage of the population who are unemployed, the Committee is still concerned that the level of unemployment remains high, especially among young people, immigrants and refugees.

13. Although it notes that collective agreements in some sectors of professional activity contain provisions for the determination of minimum wages, the Committee is concerned that no minimum wage is guaranteed by law.

14. The Committee expresses its concern that the major cuts in social security and other welfare expenditures have reduced the disposable incomes of single parents and young families with children, have affected the situation of persons without regular income under the Sickness Insurance Act, and have led to the cessation of adjustments to pensions and unemployment benefits.

15. The Committee expresses its concern at reports according to which members of the Roma minority have been discriminated against when decisions have been taken by some authorities in respect of the allocation of publicly-owned dwellings.

16. The Committee regrets the lack of official statistical data and other information with regard to problems such as domestic violence, child abuse, child pornography, child and adolescent suicide and alcohol abuse, the latter also affecting children and adolescents, which prevents both the authorities and the Committee from ascertaining the real extent of these problems.

17. The Committee expresses its concern at the recent increase in the school drop-out rate, which particularly affects children from economically disadvantaged groups and children belonging to minorities.

E. Suggestions and recommendations

18. The Committee recommends that specifically targeted training programmes be launched by the authorities to increase the awareness of judges and lawyers of the rights enshrined in the Covenant.

19. The Committee recommends that the Government intensify its efforts to ensure that equality between men and women, in particular with regard to employment and salary matters, is effective in practice.

20. The Committee urges that consideration be given to enacting legislation providing for minimum wages, and their periodical adjustment, so that protection be ensured also to workers who are not protected by sectoral collective agreements.

21. The Committee encourages the Government to take adequate measures to ensure that the reduction of the budgetary allocations for social welfare programmes does not result in the violation of the State party's obligations under the Covenant. The Committee particularly lays emphasis on the need to protect the rights of socially vulnerable groups, such as young families with children, refugees and elderly or unemployed persons.

22. The Committee draws the attention of the authorities to the need to eliminate discrimination of any kind in the exercise of the rights set forth in the Covenant, especially the right to housing.

23. The Committee encourages the Government to continue its efforts to combat the problems of alcoholism, domestic violence, child and adolescent suicide and child abuse and it recommends that statistical data be collected and that thorough and targeted studies be conducted on the extent, the causes and the consequences of such problems. The Committee particularly draws the attention of the authorities to the importance to be given to detection measures and preventive policies. It also stresses the need to ensure that specific and appropriate penal legislation be enacted and applied in order to combat child abuse and child pornography.

24. The Committee also draws the attention of the State party to the emerging problem of school drop-out, which mainly affects children coming from vulnerable social groups, such as economically disadvantaged children or children belonging to minorities. In this regard, the Committee recommends that specific measures be taken to ensure that these children can complete their studies to the extent of their academic capacities.

25. The Committee recommends that the concerns expressed in the present concluding observations, as well as the issues raised during the discussion of the third periodic report which remain unanswered, be addressed in the State party's fourth periodic report.

26. The Committee encourages the State party to widely disseminate the Concluding observations adopted by the Committee following the consideration of the State party's third periodic report.